ALABAMA REQUESTS INFORMER'S RETURN

Extradition of an F.B.I. Spy in Klan Is Sought for Murder Trial in Slaying of Rights Worker

By HOWELL RAINES
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ATLANTA, Dec. 21 — An Alabama prosecutor asked the Georgia authorities today to extradite Gary Thomas Rowe Jr. on the ground that new evidence would prove that Mr. Rowe murdered a civil rights worker while he was on the payroll of the Federal Bureau of Investigation as its chief spy inside the Ku Klux Klan.

In a voice choked with emotion, Mr. Rowe denied the charge and swore that both the Alabama authorities and the Justice Department had promised him permanent immunity from prosecution in the death of Viola Gregg Liuzzo, a Detroit woman shot in Lowndes County, Ala., in 1965 at the time of the blacks' march to Selma, Ala.

The Liuzzo case brought Mr. Rowe national attention in 1965 as the F.B.I.'s star witness when he testified against three companions, all Klansmen from Birmingham, who were charged in the Liuzzo murder. But new disclosures this year raised accusations that Mr. Rowe had fired the fatal shot at Mrs. Liuzzo and that he may have had a part in other crimes, including a 1963 bombing that killed four black children in Birmingham, while he was on the bureau's payroll. A Justice Department force is now investigating Mr. Rowe and his allegations of wrongdoing against his employers in the F.B.I. and the Justice Department.

John Tabor, the Lowndes County prosecutor, appeared before an extradition officer in Atlanta today, in an attempt to return Mr. Rowe to Alabama for trial on charges of first-degree murder. Mr. Tabor declined to identify the three new witnesses he said could tie Mr. Rowe to the Liuzzo killing. But The New York Times previously disclosed that the witnesses included two Birmingham police officers, who say that Mr. Rowe made incriminating statements to them, and an Alabama Highway Patrol officer. The patrolman reportedly told an Alabama grand jury that Mr. Rowe, rather than his companion, Collie Leroy Wilkins, was sitting at the car window from which the fatal shot was fired.

Question of Who Pulled Trigger

"It's a question of who squeezed the trigger," Mr. Tabor said today. "I'm going to attempt to prove that Mr. Rowe did it."

"That's not true," Mr. Rowe murmured on hearing Mr. Tabor's accusations. Mr. Rowe's lawyers argued that he had been promised immunity in 1965 in exchange for the testimony that had sent Mr. Wilkins and another Klansman to Federal prison. Mr. Rowe's lawyers presented an affidavit to that effect from a former Alabama Assistant Attorney General who had been involved in the case.

Mr. Tabor indicated that he would later submit an affidavit to the contrary from the state's former Attorney General.

In any event, the Georgia authorities are not expected to rule on the issues raised today until February, at the earliest.

Mr. Rowe, who now lives in Savannah, Ga., under a new identity provided by the F.B.I., is no longer the rough person described in bureau's reports on his spying exploits within the Klan. Stout, red-faced and still limping from a foot injury, Mr. Rowe was often near tears today as he pleaded before Cynthia Wright, the Georgia extradition officer, not to return him to Alabama.

Mr. Rowe has previously told The New York Times that his legal troubles began after the F.B.I. and Justice Department turned on him because of testimony he had given in 1975, when he told the Senate Intelligence Committee that F.B.I. agents had approved his participation in violence against blacks as a necessary part of his undercover work.

At the Justice Department, a force of four attorneys, appointed in November by Attorney General Griffin B. Bell, is looking into both Mr. Rowe's conduct and his allegations against others. Michael E. Shaheen Jr., director of the Office of Professional Responsibility of the Justice Department, said the group would interview F.B.I. agents who dealt with Mr. Rowe.

It will also interview past and present officials of the department's Civil Rights Division, including former Deputy Attorney General John Doar, to determine whether that division had reason to believe that Mr. Rowe had been "an unreliable or perjurious witness" in the Liuzzo case.

A series of polygraph, or so-called lie detector, tests have raised questions about Mr. Rowe's credibility and his roles in the Liuzzo case and the 1963 bombing that killed the four black children. Mr. Rowe had also told The New York Times that, in a still unsubstantiated incident, he shot a black man to death during a race riot and was told to keep quiet about it by his F.B.I. control agents.

Said He Was Told to Lie

Mr. Shaheen said the task force was conducting "original" investigations on these and other points, including Mr. Rowe's charge that F.B.I. agents had instructed him to lie about his presence among a group of Klansmen photographed while beating black "Freedom Riders" in Birmingham on May 14, 1961.

The bureau's denial that it had condoned Mr. Rowe's role in those beatings was undercut recently by the release of an F.B.I. report on the matter. It showed that Mr. Rowe had received a $125 bonus and $50 for treatment of a cut suffered in the melee at a Birmingham bus station.

"The F.B.I., then, I thought was God, literally," Mr. Rowe recalled of that period. "Now you find that they're just like you and I. They're fallable. They have their do's and don'ts. They have their misgivings. They lie — period."

Mr. Rowe has long since lost the F.B.I. protection he had in 1965 when he was rewarded with a $10,000 payment and a job as a Deputy United States Marshal for his undercover work. But he said today that he will not flee Savannah in fear of Klan reprisals, even though his whereabouts have now been revealed. "I served my country well," Mr. Rowe said, "and I'm not going to let a bunch of Ku Kluxers run me out of the world."